

COCHIN

LEGISLATIVE COUNCIL PROCEEDINGS.

OFFICIAL REPORT OF THE THIRD LEGISLATIVE SESSION OF THE
FOURTH COCHIN LEGISLATIVE COUNCIL—VOL. VI—1113.

Tuesday,

29th March, 1938.

16th Meenam, 1113.

The Council met in the Council Hall, Ernakulam, at Eleven of the Clock with the Hon'ble the President (Sir Shanmukham Chetty, K. C. I. E.) in the Chair.

Messrs. C. P. Lonappan, T. C. Iyyukutty, K. T. Mathew, K. Kunhirama Menon, R. Viswanathan Chettiar and Popatlal Goverdhan Lalan were absent.

Questions and Answers.

Debt Conciliation Board—working of.

251. Mr. C. R. Iyyunni (*Trichur South*).—Will the Government be pleased to state:—

(1) the number of applications submitted to the Debt Conciliation Board; and

(2) the number which have been finally disposed of by the Board?

Mr. K. P. Kannan Nayar (*Secretary to Government*).—

(1) 624.

(2) 358.

252. Mr. A. Narayana Menon (*Vyttila*).—Will the Government be pleased to state:—

(a) the number of cases in which creditors and debtors adjusted their claims after cases were filed before the Debt Conciliation Board;

(b) the number of cases in which the debtors have agreed to place their properties or any of them in the possession of creditors; the number of cases in which such demands were refused?

Mr. K. P. Kannan Nayar (*Secretary to Government*).—

(a) (i) 15 cases were completely settled.

(ii) 14 cases were partly settled.

(b) (i) In 13 cases the debtors handed over possession of the properties to the creditors.

(ii) In 14 cases the debtors refused to hand over possession of properties.

Mr. K. M. Ibrahim (*Cranganur*).—Sir, according to the information to (b) (1), if the agricultural debtors are voluntarily prepared to give up their lands to the possession of the creditors where is the necessity for the new Debt Conciliation Act Amendment Bill?

Mr. K. P. Kannan Nayar (*Secretary to Government*).—It will be seen that only in 13 cases the debtors were prepared to hand over.

Mr. K. M. Ibrahim (*Cranganur*).—In a considerable number of cases it will be like that.

Mr. K. P. Kannan Nayar (*Secretary to Government*).—It is only in 13 cases.

Mr. P. Kumaran Ezhuthassan (*Wadakkancheri*).—May I know whether in cases conciliated all the properties of the debtors were handed over to the possession of the creditors or whether the debtors had something to fall upon?

Mr. K. P. Kannan Nayar (*Secretary to Government*).—There were only 13 cases in which possession was handed over. I have no other information.

Mr. P. Kumaran Ezhuthassan (*Wadakkancheri*).—Here it is stated that 15 cases were completely settled. Was there anything left to the debtor or whether the whole property of the debtor was taken up for settlement?

Mr. K. P. Kannan Nayar (*Secretary to Government*).—I have no information about the terms of settlement.

Mr. P. Kumaran Ezhuthassan (*Wadakkancheri*).— I do not want the details of the settlement. I want information on the point whether the debtors concerned in these 15 cases had to surrender all their property or whether they had something left with them.

Mr. K. P. Kannan Nayar (*Secretary to Government*).— I can't answer that question without notice.

Mr. A. V. Moothedan (*Chalakkudi*).—Is it a fact that the debtors were forced to give up their lands by the Board? Is the Board forcing the debtors to surrender their lands?

Mr. K. P. Kannan Nayar (*Secretary to Government*).— There is no such information.

Mr. K. M. Kunhi Moideen (*Kattur*).—May I know whether the Board had asked the Government to give instruction with regard to the method of settlement?

Mr. K. P. Kannan Nayar (*Secretary to Government*).— No.

Mr. K. M. Kunhi Moideen (*Kattur*).—Any correspondence has been passed between the Board and the Government about this matter?

Mr. K. P. Kannan Nayar (*Secretary to Government*).— No.

Mr. P. Kumaran Ezhuthassan (*Wadakkancheri*).— In the 15 cases settled, will the Government be pleased to tell us whether it was a case of 16 annas in the rupee or anything less?

Mr. K. P. Kannan Nayar (*Secretary to Government*).— That is why I said that the terms of the settlement are not known to us. I have no information as to whether all the 16 annas have been paid or only a portion of the amount.

Mr. K. M. Ibrahim (*Oranganur*).—Will such information be collected?

Mr. K. P. Kannan Nayar (*Secretary to Government*).— This will be collected when their report comes. They are a statutory body working under the statute.

Mr. P. Kumaran Ezhuthassan (*Wadakkancheri*).— I want an information on the point I raised namely whether it was a case of payment of 16 annas in the rupee or something

less. This is a point on which information ought to have been collected, since the question relates to the number of applications submitted and those disposed of.

Mr. K. P. Kannan Nayar (*Secretary to Government*).—The question is how many cases have been settled, etc. As regards the details unless we get notice it is not possible to give an answer.

Mr. K. M. Ibrahim (*Cranganur*).—Will the Government be pleased to inform the House whether their attention has been drawn to a recent statement in a particular Debt Conciliation Board in British India where the conciliation effected was 4/- as. in the rupee?

Mr. K. P. Kannan Nayar (*Secretary to Government*).—I am not aware.

Mr. K. M. Ibrahim (*Cranganur*).—It was recently reported in the Madras Mail.

253. Mr. K. Kunhirama Menon (*Cheruthuruthi*).—Will the Government be pleased to furnish information as to

(a) how many meetings were held, in each Taluk, by the Debt Conciliation Board after it was instituted;

(b) how many applications have been received from each Taluk;

(c) of those received, how many cases have been dealt with and with what result?

Mr. K. P. Kannan Nayar (*Secretary to Government*).—

(a) Cochin-Kanayannur Taluk	31
Mukundapuram Taluk	25
Cranganur	26

Total 82

(b) Cochin-Kanayannur	370
Mukundapuram	183
Cranganur	71

Total 624

(c) Of the 624 cases received 358 have been finally disposed of and the remaining numbers are pending consideration in various stages. Of the cases disposed of 86 were dismissed on merits, and 15 cases were conciliated. The remaining were dismissed either for technical defects or for default of debtor-petitioners. Part conciliation have also been effected in 14 of the pending cases.

**Debt Conciliation Board—Income and Expenditure—
Particulars regarding.**

254. Mr. A. Narayana Menon (Vyttila).—Will the Government be pleased to state:—

(a) the amount spent towards (i) Establishment charges (ii) travelling allowance and sitting fee of members, (iii) the same of the staff so far as the Debt Conciliation Board is concerned;

(b) the amount so far collected by the Board by way of court expenses, money and stamps, from parties?

Mr. K. P. Kannan Nayar (Secretary to Government).—

(a) Item of Expenditure. From 19—11—1112
till the end of
Kumbham 1113.

	Rs.	A.	P.
Pay of the establishment	622	5	0
Sitting fees to the Chairman and members	1,660	0	0
T. A. to the Chairman and members	618	8	0
Do. to staff	224	12	0
Total	3,125	9	0